

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
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Judiciary Building  
Room G-255, North Lobby  
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<http://www.jpml.uscourts.gov>

October 18, 2006

Robert C. Heinemann, Clerk  
130 United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached CTO-71)

Dear Mr. Heinemann:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on October 2, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Mecca S. Carter  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Jack B. Weinstein  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT - 2 2006

FILED  
CLERK'S OFFICE

**DOCKET NO. 1596**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-71)**

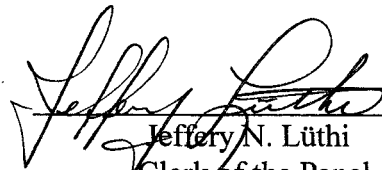
On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,325 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

OCT 18 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-71 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

DIST. DIV. C.A. #

CASE CAPTION

ALABAMA MIDDLE

~~ALM 2 06-666~~ ~~Betty Weathers v. Eli Lilly & Co., et al.~~ Opposed 10/18/06

ALABAMA SOUTHERN

ALS 2 06-485 Orderick Vincent v. Eli Lilly & Co.

CALIFORNIA NORTHERN

CAN 3 06-5270 David Wilson v. Eli Lilly & Co.

CAN 3 06-5271 Elizabeth Hanford v. Eli Lilly & Co.

CAN 4 06-5335 Marilyn Pollack, et al. v. Eli Lilly & Co.

MINNESOTA

MN 0 06-3717 Tracy Vrabel, et al. v. Eli Lilly & Co.

SOUTH CAROLINA

SC 1 06-2456 Patsy Nissen v. Eli Lilly & Co.

**INVOLVED COUNSEL LIST (CTO-71)**  
**DOCKET NO. 1596**  
**IN ZYPREXA PRODUCTS LIABILITY LITIGATION**

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**INVOLVED JUDGES LIST (CTO-71)**  
**DOCKET NO. 1596**  
**IN ZYPREXA PRODUCTS LIABILITY LITIGATION**

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U.S. District Judge  
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1301 Clay Street  
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Hon. Bert W. Milling, Jr.  
U.S. Magistrate Judge  
301 U.S. Courthouse  
113 St. Joseph Street  
Mobile, AL 36602

Hon. Ann D. Montgomery  
U.S. District Judge  
13W U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Honorable Joseph F. Anderson, Jr.  
Chief Judge  
United States District Court  
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**INVOLVED CLERKS LIST (CTO-71)**  
**DOCKET NO. 1596**  
**IN ZYPREXA PRODUCTS LIABILITY LITIGATION**

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